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Attorneys for Plaintiff and the alleged Class

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

LOUIS FLOYD, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

SARATOGA DIAGNOSTICS, INC., a
California corporation, and **THOMAS
PALLONE**, an individual,

Defendants.

Case No. 5:20-cv-01520-LHK

**STATUS REPORT AND REQUEST TO
VACATE CASE MANAGEMENT
CONFERENCE**

Plaintiff Louis Floyd (“Floyd” or “Plaintiff”) respectfully provides the following status report and requests that the Court vacate the case management conference scheduled for June 10, 2020. In support of this request, Plaintiff states as follows:

1. Plaintiff filed his Class Action Complaint (“Complaint”) on March 1, 2020, against Saratoga Diagnostics, Inc. (“Saratoga”) and Thomas Pallone (“Pallone”) (collectively “Defendants”). (Dkt. 1.)

2. On March 2, 2020, the Court issued summonses directed to Defendants. (Dkt. 5.) Thereafter, Plaintiff arranged for both Defendants to be served via process server.

3. On March 11, 2020, the Court set a Case Management Conference for June 10, 2020, at 2:00 p.m. (Dkt. 11.)

4. To date, Plaintiff has attempted to serve Defendants on nine (9) occasions.

1 5. Based on his inability to effectuate service, Plaintiff filed a Motion for Alternative
2 Service Upon Saratoga Diagnostics, Inc. and Thomas Pallone (dkt. 15), which is currently
3 pending. Further details regarding the attempts at service can be found in Plaintiff's pending
4 Motion.

5 6. Given that none of the Defendants have been served or appeared in this case,
6 Plaintiff is unable to meet-and-confer with defense counsel and prepare a Joint Case Management
7 Statement.

8 7. Consequently, Plaintiff respectfully requests that the Court vacate the Case
9 Management Conference scheduled for June 10, 2020.

10 Therefore, Plaintiff respectfully requests that the Court vacate the Case Management
11 Conference and for such additional relief as the Court deems necessary and just.

12
13 Dated: June 3, 2020

Louis Floyd, individually and on behalf of all others
similarly situated,

14
15 By: /s/ Taylor T. Smith
One of Plaintiff's Attorneys

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25 *Counsel for Plaintiff and the Putative Class*
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above titled document was served upon counsel of record by filing such papers via the Court's ECF system on June 3, 2020.

/s/ Taylor T. Smith